Previous references.

cs 196-07

1909

(Courts)

File No. 62-09

Serial Nos. 1-2

Later references.

CS 312-13 (1-3) B

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-2

Part B. for September 1909

SUBJECT.

District Magistrates power to order the Amildars to take cognizance of offences during the absence of Munsiff-Magistrates.

From

1. The District Magistrate of Tumkur no. 139 dt 23.8.09
Brings to the notice of Govt. the inconvenience caused by the Munsiff magistrates going on leave for short periods when their substitutes are not invested with criminal powers & Enquires whether he is precluded from granting the Amildar of the Taluk power to take cognizance of offences when necessary.

2. Do. The Dt. Magte of Tumkur, Dt. Magtes of other Dts, the Registrar, Chief Court of Mysore & the Revenue Commissioner no. J 858-67 dt 22.9.09
Permits the District Magistrates to invest the

G. R. S. 58

Amildass with power to take cognizance of offences when the Munsiff Magistrate at the place is on leave & his successor is not a Magistrate.

G.R.S.11] 1909.—10

GENERAL AND REVENUE SECRETARIAT

(Courts.)

NOTES.

Gs File No. 62-09

FILE HEADING.

District magistrate's power to order the Amildars to take cognizance of offences during the absence of Munsiff-Magistrates.

From

The District magistrate of Tumkur

No. 139 Dated 23.8.09. Received 24.8.09.

Diary No. 7515 | Enclos. nil Spare Copies | Serial No. 1

BRIEF ABSTRACT OF LETTER.

Brings to the notice of Govt, the inconvenience caused by the Munsiff-Magistrates going on leave for short periods when their Substitutes are not invested with Criminal powers, and enquires whether he is precluded from granting the Amildar of the Taluk power to take Cognizance of offences when occasion arises.

NOTES AND ORDERS.

1 Submitted for orders.

Hcs SW 25.8.09 26/8/09. 2 The Dt magte may be permitted to invest the amildars with power to take cognizance of offences when the Munsiff magte is on leave: when no duly qualified

NOTES—First sheet

GPB—30,000—3-4-07.

Serial No.

Successor is appointed or when such successor is not a magte.

1764

2 Dey) 26/8/09

3 Dey may be done. 26/8/09

2 DC

4 Yes. Please let me see a draft reply

29/8/09

31/8/09

5 CS 31/8

For the information and guidance of the District magistrates of other districts where there are municipal magistrates, a draft of a general order is submitted for approval or for other orders.

HCS 1.9.09 SW 1.9.09

6 6/9/09

HRW 2/9

7 The draft may be issued

Dewan 7/9/09

24/20 10/9/09 8 Draft approved

9 Issued 15/9/09

NOTE—Contn. sheet.

GPB—50,000—13-5-08

G. R. S. 12
General and Revenue
Secretariat.

GB File No. 62 of 1909-10

Serial No.	
2.	To the District magistrate of Tumkur a District magistrates of other Distts & Registrar Chief Court a Revenue Commissioner RJ858-67 9 22-9-09- Permits the District magistrates to invest the Amildars with power to take cognizance of offences when the Munsiff-magte at the place is on leave and his successor is not a magistrate.

NOTE—Contn. sheet.

GPB—50,000—18-5-08

190

From

K.Doraswami Iyer Esqr.

District Magistrate,

Tumkur District.

To

K.S.Chandrasekhara Aiyar Esqr.
B.A.B.L.
Secretary to the Government of

H.H.the Maharaja of Mysore.

Dated 22nd August 1909.
Bangalore.

Despatched 23rd

Received

General No. 139.
No.

Enclosure No.

Enquires whether the Government order of 13-10-07 divesting certain Amildars of magisterial functions precludes the District Magistrate from empowering such Amildars, whenever occasion calls for it, to take cognizance of complaints as magistrates, under sec 190 C.P.C. — and points out the present inconvenience that would be caused in the Maddagiri Taluk if the District Magistrate should be considered debarred by the said Govt order from conferring additional powers grantable by him under the Cr: P.C:

Office of the
District Magistrate, Tumkur District,
Dated, Tumkur 22nd August 1909.

From,

K.Doraswami Iyer Esqr.
District Magistrate,
Tumkur District.

To,

K.S.Chandrasekhara Aiyar Esqr. B.A.B.L.
Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments,
Bangalore.

Sir,

I have the honour to invite reference to Government Order No. J.1187-1227/Cts.196-06-6 dated 13th October 1907 relieving certain Amildars of their magisterial functions and divesting them of their power to take cognizance of offences under section 109 Criminal Procedure Code, and to state that, at present, the Munsiff Magistrate of Maddagiri is on leave and that his substitute is not invested with magisterial powers. Whenever the Munsiff Magistrate is absent on leave or during the vacation much inconvenience is felt in entertaining complaints cognizable by a magistrate of the 2nd class in the Maddagiri taluk.

The question now is wether the Government Order quoted above would preclude me from granting the Amildar, Maddagiri, temporarily upon occasion, with power to take cognizance of complaints and to receive Police reports under section 190 (a) and (b) Criminal Procedure Code.

Much inconvenience is felt, meanwhile in regard to 2nd and 3rd

class cases of the Maddagiri taluk and 2nd class cases of the Koratagere sub taluk as they have to be travelling after the Sub-Divisional Assistant Commissioner in whatever part of the Sub-Division he might be.

There can be no difficulty when the Munsiff Magistrate goes on a long leave for then the acting incumbent will probably come invested with magisterial powers. But in a case of this kind when the Munsiff Magistrate went on 9 days' privilege leave and had subsequently to extend it on Medical certificate it is obvious that in view to avoid inconvenience of all kinds the District Magistrate should be able to grant the powers in question.

I have the honour to be,

Sir,

Your most obedient servant,

For District Magistrate.

T.B.M.

Rel 16-4-09 12+14/2 3

G.R.S. 28]

Cs File No. 62-09
Serial No. 2

Diary No. of letter replied to 575

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.
(Courts)

the 190

Date of issue 22-9-09.

Signed by Mr. S. Hiriyannaya

READ—

Govt Proceedings
No. J 1181-1227-Cs-196-06-6
dated the 13th October 1907,
relieving the Amildars
of certain taluks of their
magisterial functions

ORDER THEREON.—No.

and divesting them of
their power to take Cognizance
of Offences under Section
190 of the Code of Criminal
Procedure

(2) Letter No. 139 dated
the 23rd August 1909, from

over

SUBJECT

GPB—6,000—13-5-08

the District Magistrate
of Sumkur, bringing to
notice the inconvenience
caused by the Munsiff-
Magistrates going on leave
for short periods and when
their Substitutes are
being not invested with Criminal
powers, and suggesting
that the District Magistrates
may be permitted
~~shall be competent~~ to
empower the Amildar-Magistrates
in such places to take
Cognizance of Offences
whenever occasion arises

Order thereon ✓ J 558 – 67. & 22/9/09.
Cts 62-09-2

With a view to avoid
inconvenience ~~from delay~~ of
the kind referred to above,
Govt are pleased to permit
the District Magistrates
to invest the Amildars Magistrates who have been divested of the magisterial functions with power to take

ab 5

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

Cognizance of Offences under Section 190 (a) and (b) of the Code of Criminal Procedure, when the Munsiff-Magistrate at the place is on leave and the ~~when no duly qualified~~ Successor ~~is~~ appointed, or when such Successor is not a Magistrate is not a Magistrate

Sd/-
For Secretary

The District Magistrate of Tumkur
is District Magistrates of
Other Districts,
a Registrar of the Chief Court
of Mysore
a Revenue Commissioner
in Mysore

MGCPB—30,000—5-4-05.